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11 **UNITED STATES DISTRICT COURT**  
12 **EASTERN DISTRICT OF CALIFORNIA**

13 RAFAEL MACIAS, ) CIVIL NO. 1:23-cv-01034-SKO  
14 Plaintiff, )  
15 v. ) **STIPULATION AND UNOPPOSED**  
16 KILOLO KIJAKAZI, ) **MOTION TO VOLUNTARY REMAND**  
Acting Commissioner of Social Security, ) **PURSUANT TO SENTENCE FOUR OF**  
17 Defendant. ) **42 U.S.C. § 405(g) AND TO ENTRY OF**  
18 ) **JUDGMENT; ORDER**  
19 ) **(Doc. 17)**

20 IT IS STIPULATED by and between Plaintiff (“Plaintiff”) and Defendant Kilolo  
21 Kijakazi, Acting Commissioner of Social Security (“Defendant”), through their undersigned  
22 counsel of record, that the above-entitled action shall be remanded to the Commissioner of  
23 Social Security for further administrative proceedings.

24 Upon remand, the Appeals Council will remand the case to an Administrative Law  
25 Judge (ALJ) for a new decision, and instruct the ALJ to re-evaluate the evidence of record. The  
26 parties further request that the Court direct the Clerk of the Court to enter a final judgment in  
27 favor of Plaintiff, and against Defendant, reversing the final decision of the Commissioner.  
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STIPULATION TO REMAND; ORDER

1 This stipulation constitutes a remand under the fourth sentence of Section 205(g) of the  
2 Social Security Act, 42 U.S.C. 405(g).

3  
4 Dated: December 18, 2023

/s/ Jonathan O. Pena\*

JONATHAN O. PENA

Attorney for Plaintiff

\*Authorized via e-mail on December 18, 2023

PHILLIP A. TALBERT

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10 By: /s/ Erin A. Jurrens

ERIN A. JURRENS

Special Assistant U.S. Attorney

Attorneys for Defendant

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15 **ORDER**

16 Based upon the parties' Stipulation and Unopposed Motion to Voluntary Remand  
17 Pursuant to Sentence Four of 42 U.S.C. § 405(g) and to Entry of Judgment ("Stipulation to  
18 Remand") (Doc. 17), and for cause shown, **IT IS ORDERED** that the above-captioned action is  
19 remanded to the Commissioner of Social Security for further proceedings pursuant to the fourth  
20 sentence of Section 205(g) of the Social Security Act, 42 U.S.C. 405(g).

21 The Clerk of Court shall enter a final judgment in favor of Plaintiff, and against Defendant,  
22 vacating and reversing the final decision of the Commissioner and thereafter close this case.

23  
24  
25 IT IS SO ORDERED.

26 Dated: **December 18, 2023**

/s/ Sheila K. Oberto

UNITED STATES MAGISTRATE JUDGE